

**GOVERNMENT OF ANDHRA PRADESH**

**A B S T R A C T**

Prisons Department - Case No.50/1/2006-2007-CD - Death of under trial prisoner Gummala Gopal at Govt.Headquarters Hospital, Adilabad, while undergoing treatment, at Adilabad on 1-5-2006 -NHRC recommended to pay a sum of Rs.1,00,000/- as monetary relief to the next kin of the deceased - Sanction accorded - Orders - Issued.

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**HOME (PRI.C.HRC) DEPARTMENT**

G.O.RT.No. 361

Dated: 16-03-2011.

Read the following:-

- 1.From the Joint Registrar(Law), National Human Rights Commission, New Delhi Show Cause Notice dated 15-10-2010 in case No.50/1/2006-2007-CD.
- 2.From the Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad letter No.SB3/582/2006, dated 03-12-2010 addressed to NHRC.
- 3.From the Assistant Registrar (Law), National Human Rights Commission, New Delhi, in Case No. 50/1/2006-2007-CD, dated 03-02-2011.

**ORDER:**

In the reference first read above, the Joint Registrar (Law), National Human Rights Commission, New Delhi has issued Show Cause Notice to the Chief Secretary to Government, under section 18 (a) (i) of the Protection of Human Rights Act, 1993, as to why interim relief should not be recommended to be paid to the next kin of the under trial prisoner, Gummala Gopal, since the deceased is being in custody of the State, and not provided adequate and timely treatment, the State cannot escape the liability of death of the under trial prisoner, occurred due to negligence of jail officials.

2. In the reference second read above, the Director General and Inspector General of Prisons and Correctional Services, Andhra Pradesh, Hyderabad furnished the report to NHRC stating that the deceased prisoner was examined since his admission he was being sent to the Government Hospital, Asifabad regularly i.e., on 28-4-2006 and again on 30-4-2006 for treatment of Swelling of limbs and Cough. As referred by the Doctors of Government Headquarters Hospital, Asifabad, he was sent to District Headquarters Hospital, Adilabad for further treatment on 01-5-2006 and got admitted and provided medical treatment. But he expired at District Headquarters Hospital, Adilabad, while undergoing treatment on the same day. i.e., on 01-5-2006. However, he has left the matter to the discretion of the Government/National Human Rights Commission to recommend for payment of ex-gratia.

3. In the reference third read above, the National Human Rights Commission while considering the above reply have stated that, the State cannot escape the liability of death of the under trial prisoner, occurred due to negligence of jail officials. Hence, the Hon'ble Commission has recommended for payment of interim relief of Rs.1,00,000/-(Rupees one lakh only) to the legal heir of the deceased Prisoner, Gummala Gopal died on 01.05.2006 at Government Head Quarters Hospital, Adilabad and furnish proof of payment in six weeks.

4. The Government after careful examination, hereby accord sanction for an amount of Rs.1,00,000/-(Rupees one lakh only), towards payment of compensation to the legal heir of the deceased Prisoner, Gummala Gopal, died on 01-05-2006 in Government General

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Head Quarters Hospital, Adilabad, as directed by the National Human Rights Commission, New Delhi.

5. The amount sanctioned in para (4) above, shall be debited to the Head of Account "MH 8000-Contingency Fund- 2056 Jails-MH 101 Jails-SH (04) Jails-500 Other Charges-501 Compensation(Charged)", and shall initially be met by way of an advance from the Contingency Fund, orders regarding which will be issued by the Finance (BG) Department, separately.

6. The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad, shall send necessary proposals for obtaining Supplementary Grant at an appropriate time during the current financial year 2010-11, towards recoupment of advance from the Contingency Fund.

7. This order issues with the concurrence of the Finance (Exp.Home) Department, vide their U.O.No. 1893/98/A2/ Exp.Home/ 2011, dated 11/03/2011.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**B.P.ACHARYA**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Director General and Inspector General of Prisons and Correctional Services, A.P., Hyderabad.

Copy to:

The Director of Treasuries & Accounts, A.P., Hyderabad.

The Accountant General, (A&E), A.P., Hyderabad.

The pay & Accounts Officer, Hyderabad.

The District Treasury Officer, Adilabad District

The Collector & District Magistrate, Adilabad District.

The Deputy Registrar (Law), National Human Rights Commission,  
Faridkot House, Copernicus Marg, New Delhi.

The General Administration (HRC) Department.

The Finance (Exp.H&L) Department.

The Finance (BG) Department.

SF/SC.

**//FORWARDED::BY ORDER//**

**SECTION OFFICER**